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DEC 15 2006

OFFICE OF PETITIONS

In re Application of :
Chin Wan Lu :
Application No. 10/804,665 : DECISION GRANTING PETITION
Filed: March 18, 2004 : UNDER 37 CFR 1.137(b)
Attorney Docket No. EL-1 :

This is a decision on the petition under 37 CFR 1.137(b), filed June 19, 2006, to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed September 2, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 3, 2005. A Notice of Abandonment was mailed on April 7, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply (request for continued examination, \$395 fee, and submission as required by 37 CFR 1.114), (2) the \$1,500 petition fee, and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action of September 2, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 3765 for processing the RCE and for appropriate action in the normal course of business on the amendment received June 19, 2006.


Frances Hicks
Petitions Examiner
Office of Petitions